

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**TIMOTHY C. MOBLEY,**

**Plaintiff,**

**v.**

**Civil Action 2:13-cv-297  
Judge Edmund A. Sargus, Jr.  
Magistrate Judge Elizabeth P. Deavers**

**COMMISSIONER OF SOCIAL SECURITY,**

**Defendant.**

**ORDER**

This matter is before the Court for consideration of the parties' Joint Stipulation for Remand pursuant to Sentence Four of the Social Security Act, 42 U.S.C. § 405(g). (ECF No. 18.) The parties agree that remand is appropriate because the Administrative Law Judge (hereafter "ALJ") did not consider the post-hearing medical opinion of the claimant's treating psychiatrist, who indicated that the claimant was unable to work and assessed several mental restrictions. (*Id.*) The parties indicate that on remand, the ALJ will (1) obtain updated treatment records to complete the administrative record; (2) further consider the claimant's mental impairments in accordance with the special technique described in 20 C.F.R. §§ 404.1520a and 416.920a, documenting application of the technique by providing in the decision specific findings and appropriate rationale for each of the functional areas described in 20 C.F.R. §§ 404.1520a(c) and 416.920a(c); further consider the medical source opinions, including the March 2, 2012 opinion of treating psychiatrist, Patricia Gainor, M.D., and explain the weight given to this opinion evidence (20 C.F.R. §§ 404.1527, 416.927, and Social Security Ruling 96-2p, 96-5p,

and 96-6p); (3) as appropriate, further consider the claimant's maximum residual functional capacity on the updated record and provide appropriate rationale with specific references to evidence of record in support of the assessed limitations (20 C.F.R. §§ 404.1545, 416.945, and Social Security Rulings 85-16, 96-8p); and (4), if warranted, obtain supplemental evidence from a vocational expert to clarify the effect of the assessed limitations on the claimant's occupational base (20 C.F.R. §§ 404.1566, 416.966, and Social Security Rulings 83-14, and 00-4p). The parties' Joint Motion is **GRANTED**. Accordingly, this case is **REMANDED** to the Commissioner and the ALJ under Sentence Four of § 405(g) for further proceedings.

**IT IS SO ORDERED.**

10-1-2013  
**DATED**

  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**